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21 August 2018

Hon Mandla Isaac Rayi, MP  
Chairperson   
Select Committee on Economic and Business Development.  
National Council of Provinces  
CAPE TOWN

Dear Chairperson :

**NATIONAL LAND TRANSPORT AMENDMENT BILL :  
SUBMISSION BY UBER DRIVER-PARTNERS**

My letter to you of 19 August included as an attachment a submission signed by Uber driver-partners in the Eastern Cape, KwaZulu-Natal, and Western Cape Provinces who use the e-hailing app provided by Uber B.V.

I indicated that I would be sending to you today a further submission signed by driver-partners in the Gauteng Province. I do so now as an attachment to this letter.

The submission is in most respects similar to that signed by those in the other three Provinces. The Gauteng submission, however, adds expressions of concern about Clause 66A (7) of the Amendment Bill. The additional comment in this regard can be readily seen in the attached Summary of the submission.

As with the earlier submission, the drafting of the Gauteng document was preceded by meetings open to all driver-partners in Gauteng, and the draft was similarly sent to all those driver-partners with an invitation to them to append their signatures.

Yours sincerely,

Paul Browning  
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083 263 9909

**Summary**

**Recognition of e-hailing**

We express our appreciation that the Bill recognises e-hailing as a separate category, but caution that it should not be seen as merely a slightly different form of the metered taxi. E-hailing has quite different characteristics and uses.

**Administration of the Act**

The PREs must be required to adhere strictly to the requirements of the present Act, including completing the processing of applications within 60 days.

**Urgent Interim Action**

Urgent action must be taken to regularise the position of those drivers who, because of delays in processing applications, may be currently operating without an Operating Licence.

**Transitional Provisions**

Existing drivers, and those whose applications are in progress, must not be required to make new applications.

**Additional Concerns**

We are concerned about three clauses in the Bill :

Section 66A (1) (b) – Area Restrictions

These provisions could be used to artificially restrict the area in which an Uber driver operates, and affect the overall level of service to the customer (i.e., the rider).

Section 66A (5) (b) – Special Markings

If the e-hailing vehicle is required to have special markings, drivers will be made even more vulnerable to attack. The customer (i.e., the rider) can easily recognise the vehicle s/he has booked from the data on his/her smartphone.

Section 66A (7) (b) – Withdrawal of Permission to Use App

Because of the extensive (and illegal) delays in decisions on application for Operating Licences, these provisions would lead to a dramatic reduction in the safe, convenient and affordable public transport services currently offered by Uber, as well as an equally dramatic drop in the income-earning opportunities of those who are currently Uber drivers.

**NATIONAL LAND TRANSPORT AMENDMENT BILL**

**A SUBMISSION TO THE**

**SELECT COMMITTEE ON BUSINESS AND ECONOMIC DEVELOPMENT**

**OF THE**

**NATIONAL COUNCIL OF PROVINCES**

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**Additional Concerns**

We are concerned about two clauses in the Bill :

Section 66A (1) (b) – Area Restrictions

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